



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BLVD., SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

REPLY TO
ATTENTION OF

OCT 06 2008

Palm Beach Gardens Section
SAJ-2008-0131 (IP-JWH)

Palm Beach County
Department of Environmental Resources Management
2300 North Jog Road
West Palm Beach, FL 33411-2743

Gentlemen:

The U.S. Army Corps of Engineers (Corps) is pleased to enclose the Department of the Army permit, which should be available at the construction site. Work may begin immediately but the Corps must be notified of:

- a. The date of commencement of the work,
- b. The dates of work suspensions and resumptions of work, if suspended over a week, and
- c. The date of final completion.

This information should be mailed to the Enforcement Section of the Regulatory Division of the Jacksonville District at Post Office Box 4970, Jacksonville, Florida 32232-0019. The Enforcement Section is also responsible for inspections to determine whether Permittees have strictly adhered to permit conditions.

IT IS NOT LAWFUL TO DEVIATE FROM
THE APPROVED PLANS ENCLOSED.

Sincerely,

Osvaldo Collazo
Osvaldo Collazo
Chief, Regulatory Division

Enclosures

Copies Furnished:

CESAJ-RD-PE

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Palm Beach County Dept of Eng & Public Works	File Number: SAJ-2008-0131	Date: OCT 05 2008
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
X	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I- The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/ccwo-reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION

If you have questions regarding this decision and/or the appeal process you may contact:

Project Manager as noted in letter

If you only have questions regarding the appeal process you may also contact:

**Michael F. Bell
404-562-5137**

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

OCT 06 2008

DEPARTMENT OF THE ARMY PERMIT

Permittee: Palm Beach County Board of County Commissioners
Department of Engineering and Public Works
Attn: Omelio Fernandez
2300 North Jog Road, 3rd Floor
West Palm Beach, FL 33411

Permit No: SAJ-2008-0131(IP-JWH)

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The applicant proposes to fill 4.75 acres of irrigation ditches and drainage canals for the construction of a 3 mile section of Lyons Road, a 2-lane roadway, from north of West Atlantic Blvd. to south of Boynton Beach Blvd.

Project Location: The project is located within waters of the US located along the Lyons Road corridor between West Atlantic Blvd and Boynton Beach Blvd., (Section 5,6,7,8,17,18, Township 46 S, Range 42 E), in Palm Beach County, Florida.

Directions to site: From Florida Turnpike, take Exit 81 to West Atlantic Blvd (SR 706). Continue west to intersection with Lyon Road.

Latitude & Longitude: Latitude: 26.4541 N
Longitude: 80.1880 W

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on OCT 06 2013. If you find that you need more time to complete the authorized activity, submit your request for a time

PERMIT NUMBER: SAJ-2008-0131(IP-JWH)

PERMITTEE: Palm Beach County

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extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions (Attachment A).

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the

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PERMITTEE: Palm Beach County

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following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232. The Permittee shall reference this permit number, SAJ-2008-0131(IP-JWH), on all submittals.

2. Within 10 days from the date of initiating the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.

3. Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas adjacent to wetlands shall be stabilized using sod, degradable mats, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work has been completed and the site has been stabilized.

4. The applicant shall comply with the Standard Protection Measures for the Eastern Indigo Snake, Service 2002 (Attachment E).

5. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as, the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.

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PERMITTEE: Palm Beach County
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6. Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment C) to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:

a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawing should show all "earth disturbance," including wetland impacts, water management structures, and any on-site mitigation areas.

b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. The Department of the Army Permit number.

d. Include pre- and post-construction aerial photographs of the project site, if available.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899
(33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

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PERMITTEE: Palm Beach County
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() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

PERMIT NUMBER: SAJ-2008-0131(IP-JWH)

PERMITTEE: Palm Beach County

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5. **Reevaluation of Permit Decision:** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. **Extensions:** General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

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Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.



Palm Beach County Engineering & Public Works
Roadway Production Division

(PERMITTEE)

9/15/08
(DATE)

#BX

Morton Rose, P.E., Five Year Road Program Mang.

(PERMITTEE NAME-PRINTED)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.



(DISTRICT ENGINEER)

Paul L. Grosskruger
Colonel, U.S. Army
District Commander

10/06/08
(DATE)

PERMIT NUMBER: SAJ-2008-0131(IP-JWH)

PERMITTEE: Palm Beach County

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When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFeree-SIGNATURE)

(DATE)

(NAME-PRINTED)

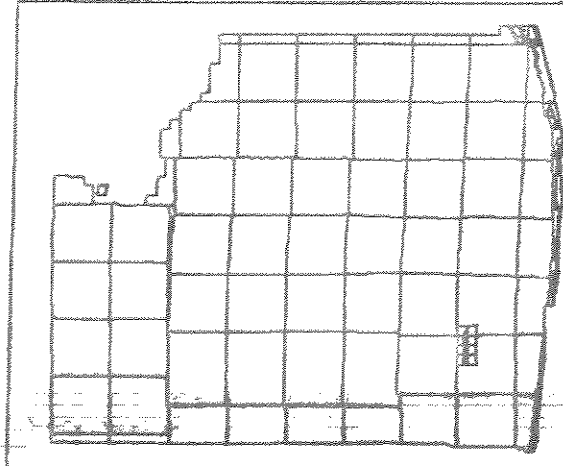
(ADDRESS)

(CITY, STATE, AND ZIP CODE)

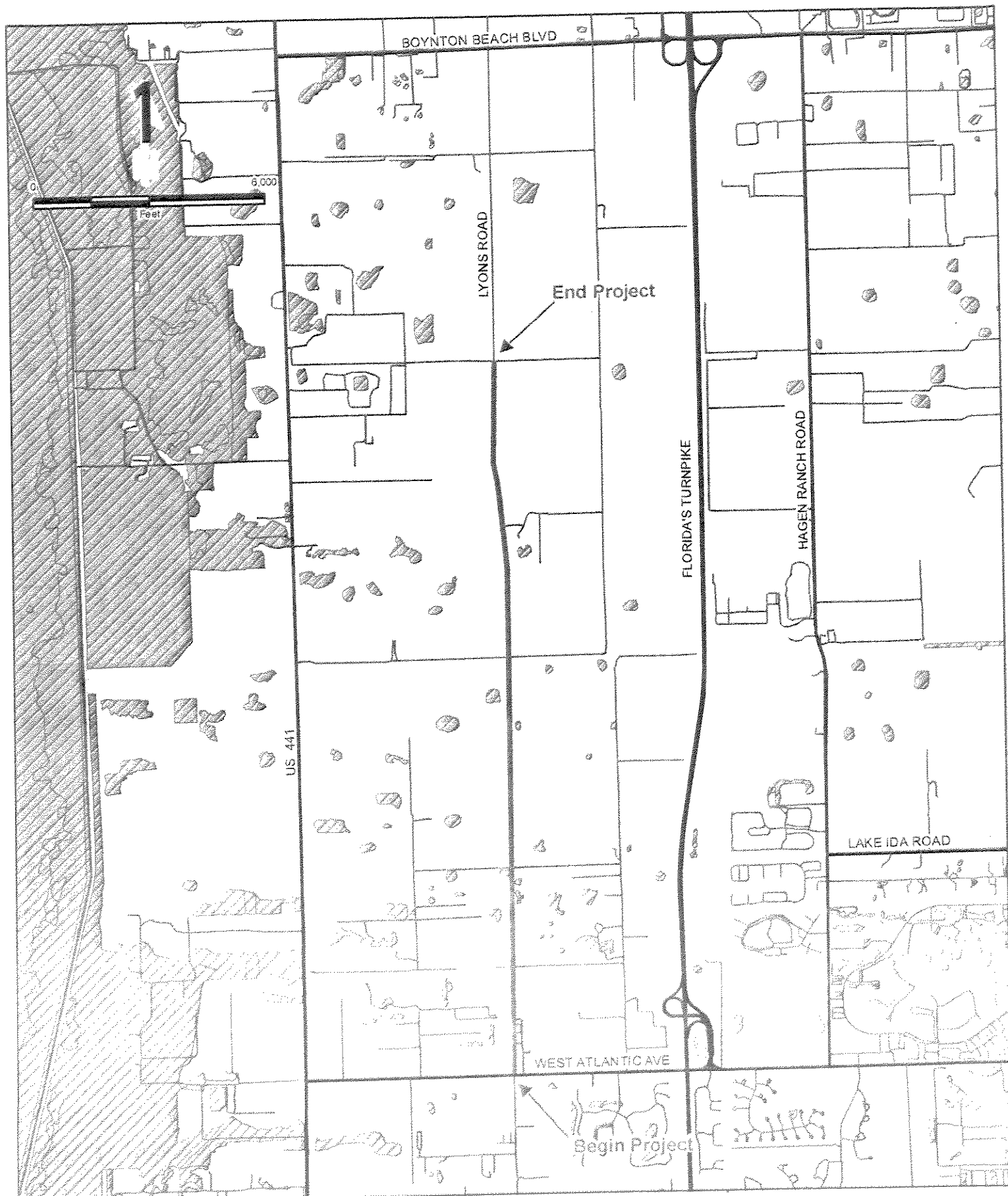
PERMIT NUMBER: SAJ-2008-0131(IP-JWH)
PERMITTEE: Palm Beach County
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***Attachments to Department of the Army
Permit Number SAJ-2008-0131(IP-JWH)***

1. PERMIT DRAWINGS: ~~20~~ pages, dated January 3, 2008
2. WATER QUALITY CERTIFICATION: Specific Conditions of the water quality permit/certification in accordance with General Condition number 5 on page 2 of this DA permit. Attachment A.
3. As-Built Certification Form. Attachment B.
4. Additional Documents: *Standard Protection Measures for the Eastern Indigo Snake (Service 2002)*. Attachment C.



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Attachment # ____, Page 1 of 20



NW1 Wetlands Map

S: 31, 32 T: 45S R: 42E
S: 5,6,7,8,17,18 T: 46S R: 42E

Source: FGDL, NWI

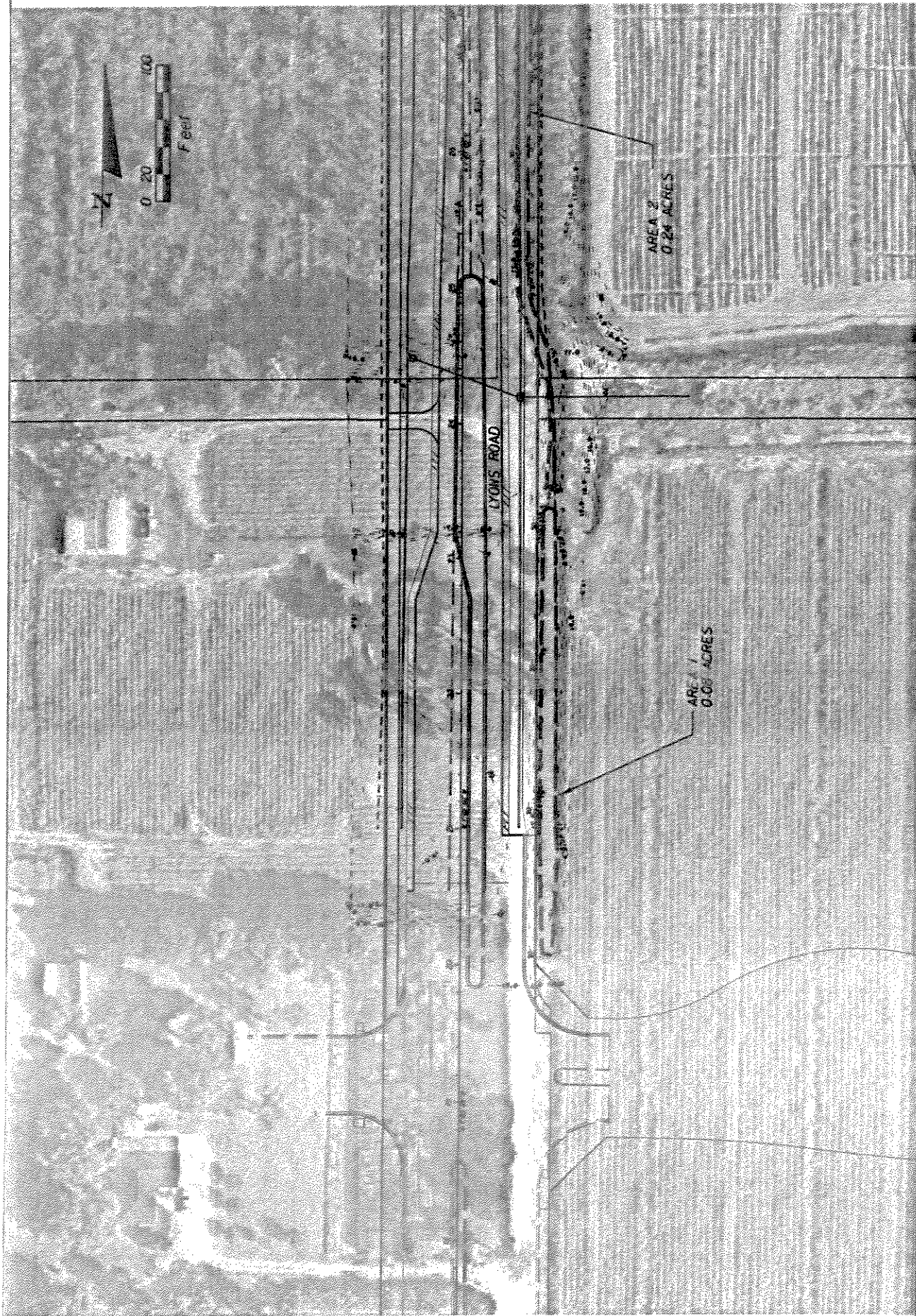
Lyons Road



US Army Corps
of Engineers

File # SAJ-2008-0131(IP-JWH)

Attachment # ____, Page 2 of 20



US Army Corps
of Engineers

File # SAJ-2008-0131(IP-JWH)

Attachment # , Page 2 of 20



FLORIDA HIGHWAY
DEPARTMENT AND PUBLIC WORKS
ROADWAY PRODUCTION
NOT FOR CONSTRUCTION

DREDGE/FILL SKETCHES

SHEET 1 OF 18

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AREA 2
0.24 ACRES

LYONS ROAD



US Army Corps
of Engineers

File # SAJ-2008-0131(IP-JW11)
Attachment # _____, Page 7 of 20

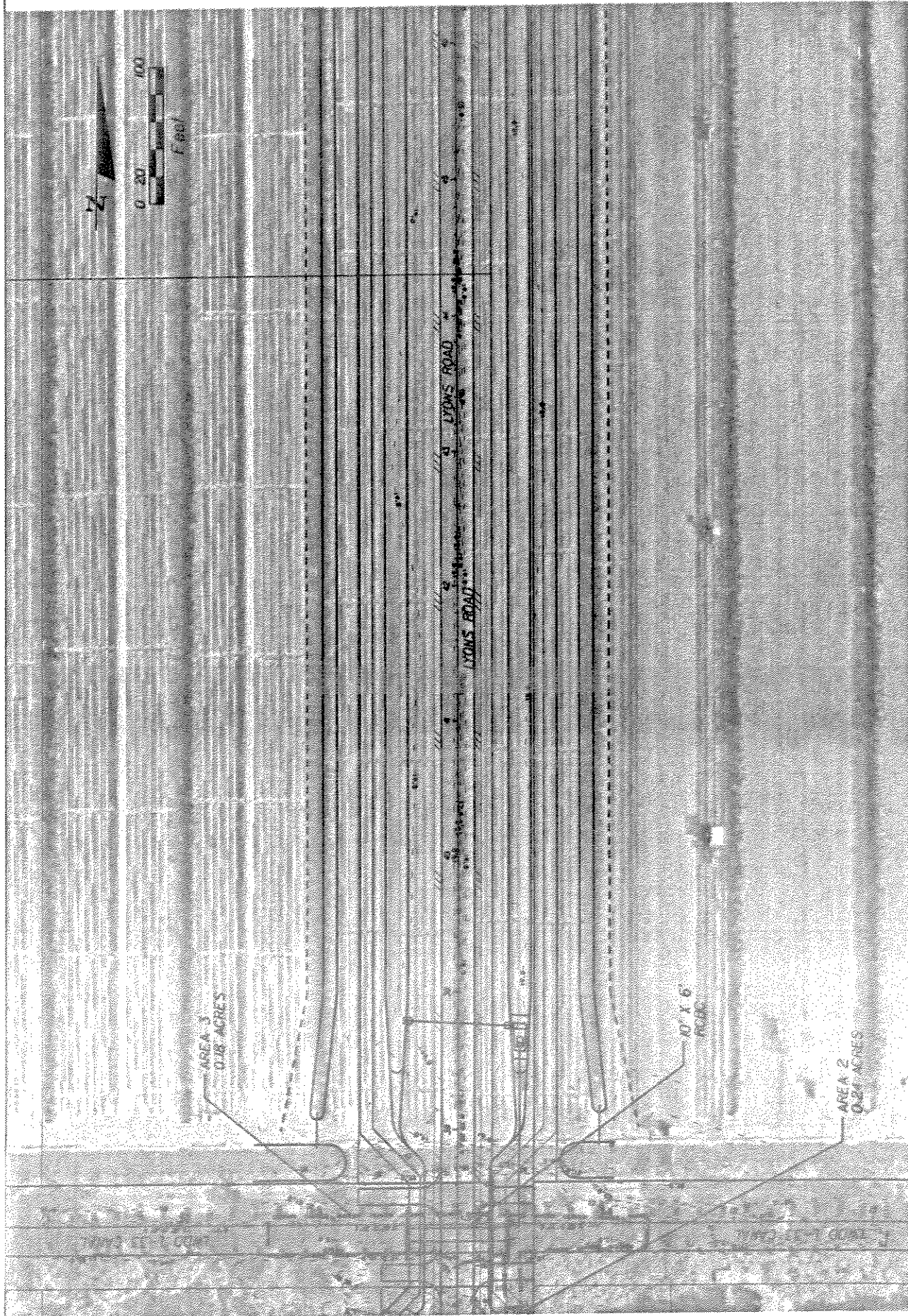


PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS
ROADWAY PRODUCTION
PO BOX 1000 WEST PALM BEACH, FL 33411

DREDGE/FILL SKETCHES

SHEET 2 OF 18

Project: 0005596-0005503 permits Vero Beach 1002.dgn



SHEET 3 OF 18

DREDGE/FILL SKETCHES

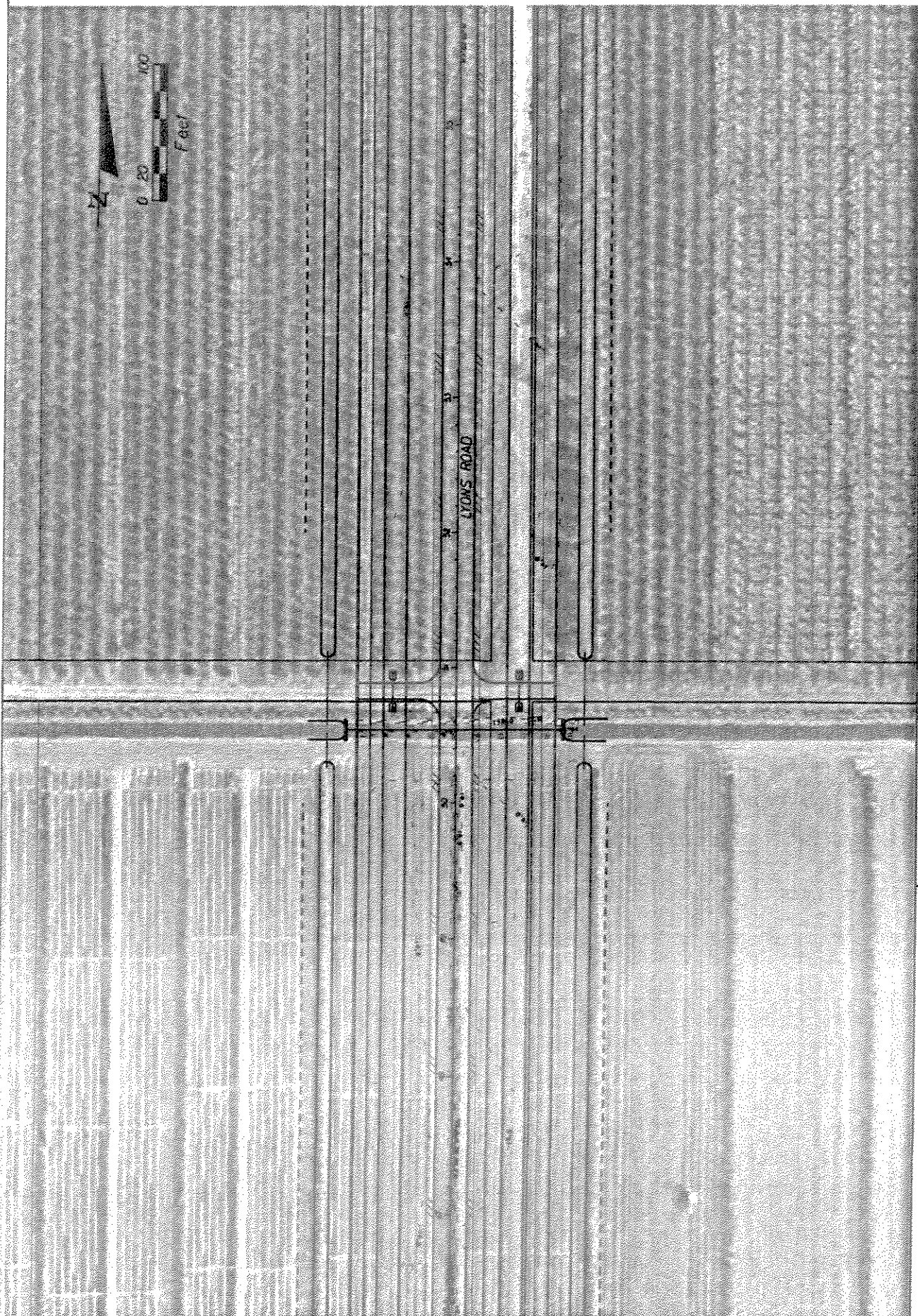


US Army Corps of Engineers

File # SAI-2008-0131 (IPJWH)

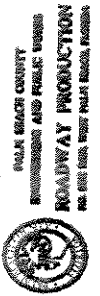
Attachment # 1, Page 5 of 20

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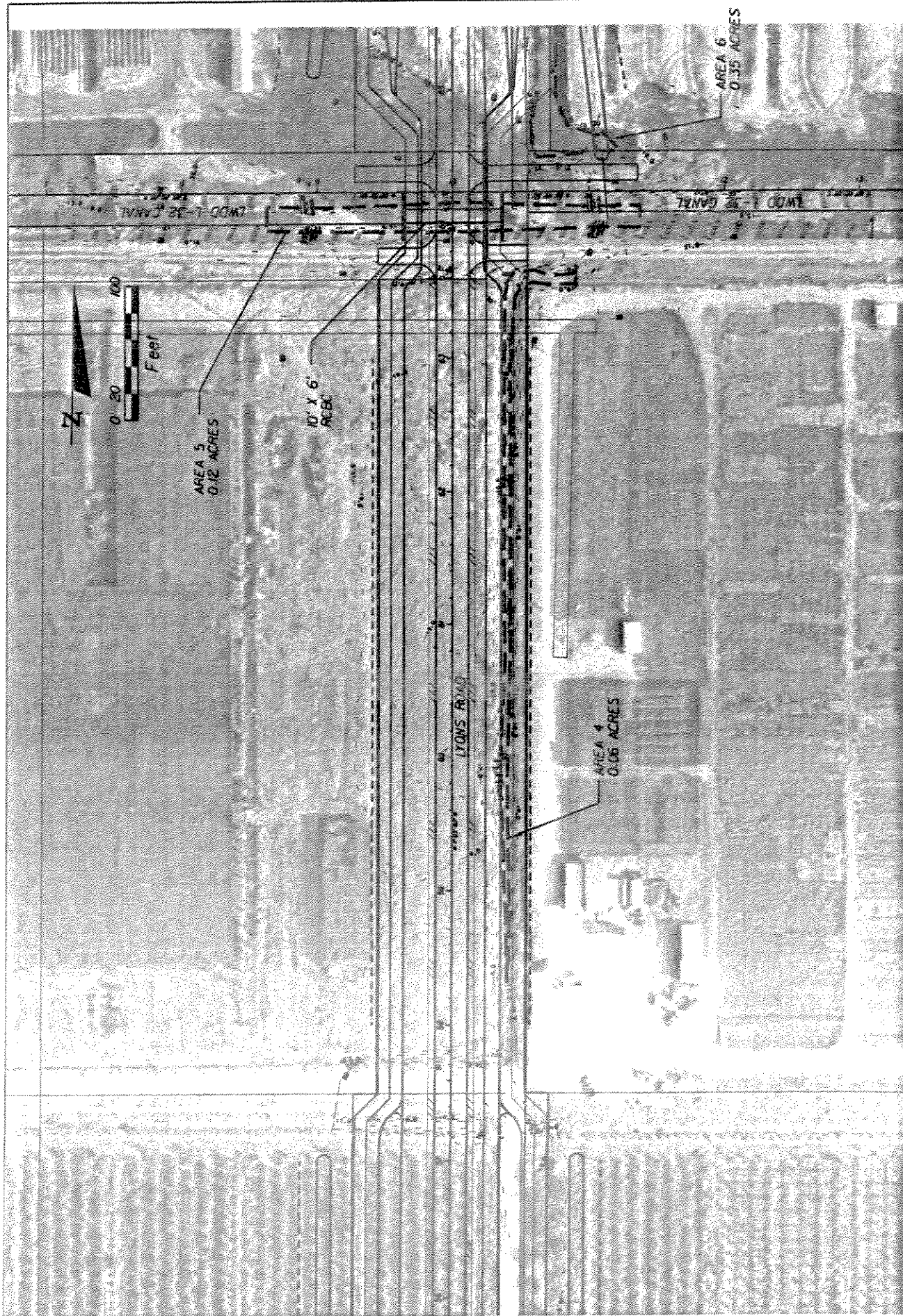


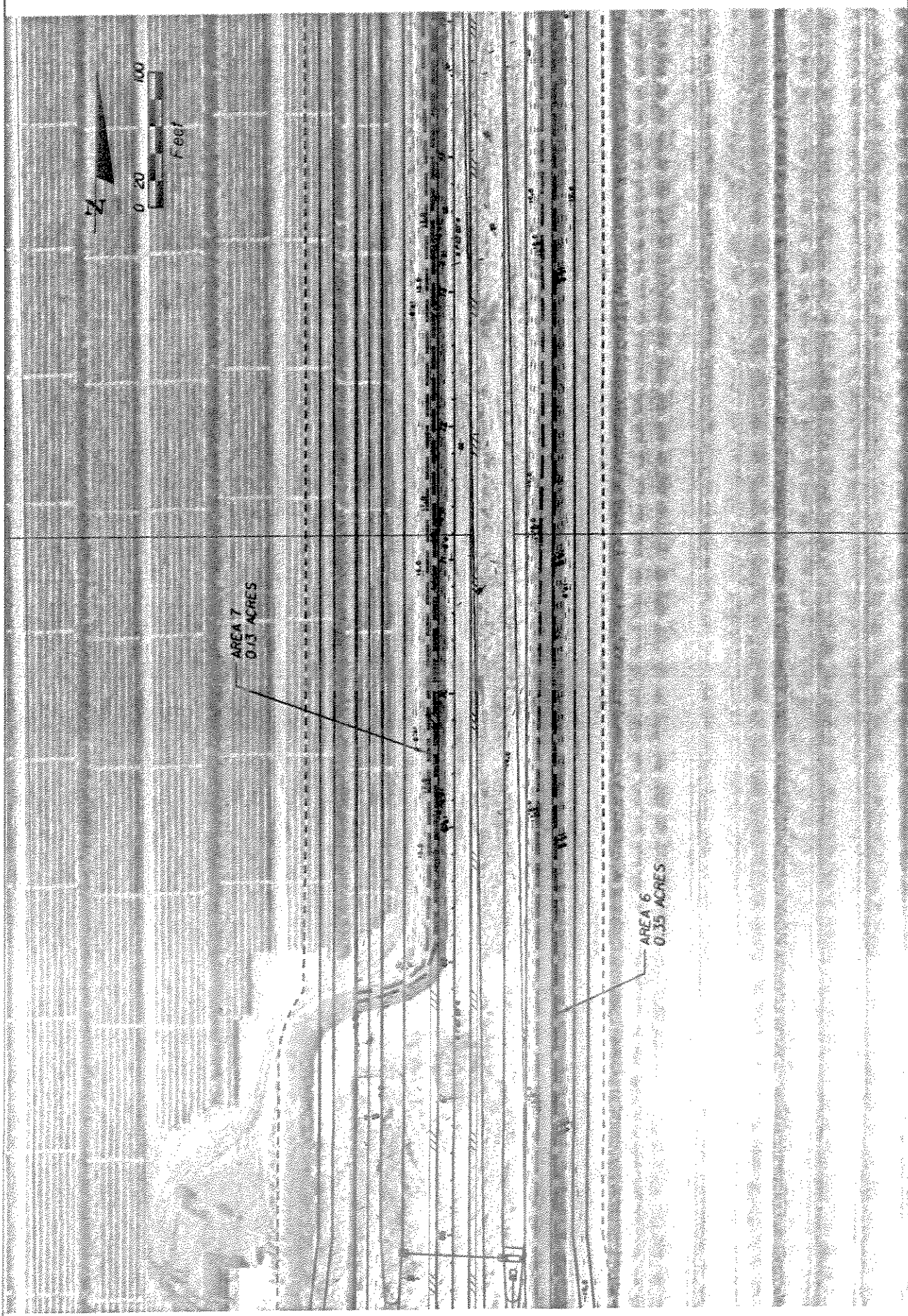
SHEET 4 OF 18

DREDGE/FILL SKETCHES



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SHEET 6 OF 18

DREDGE/FILL SKETCHES



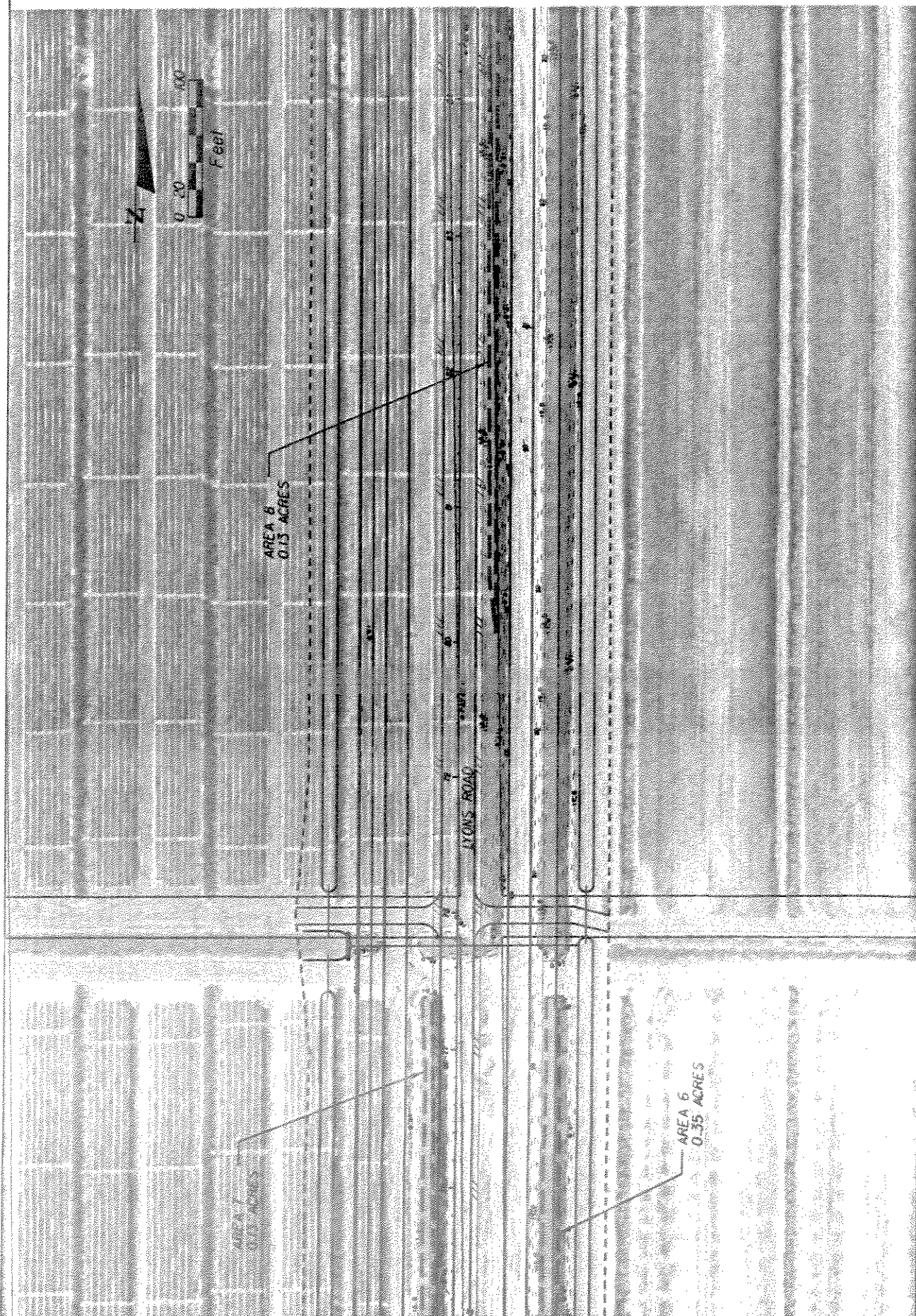
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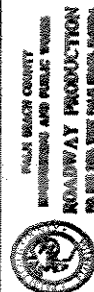
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Attachment # 1, Page 6 of 20



SHEET 7 OF 18

DREDGE/FILL SKETCHES



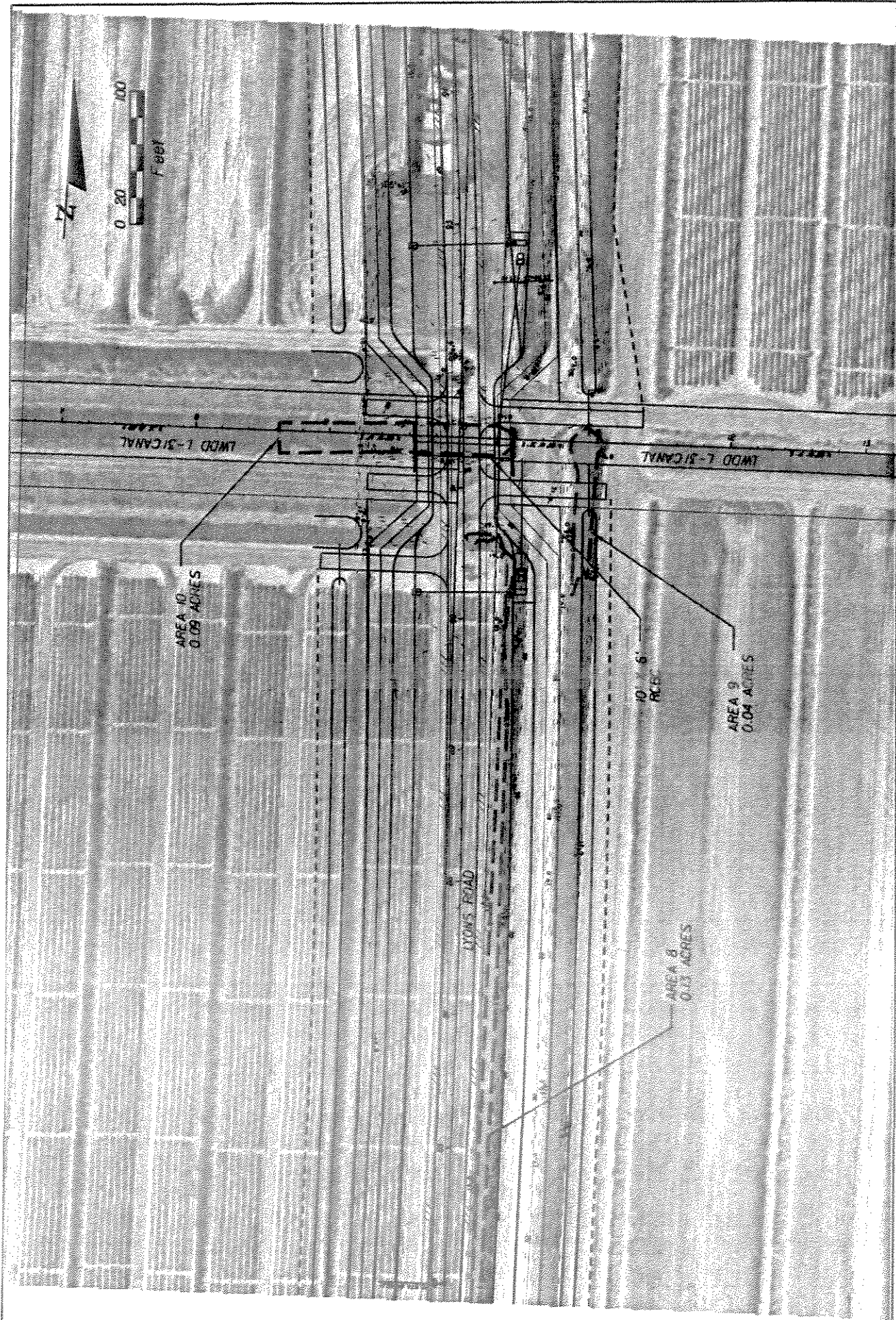
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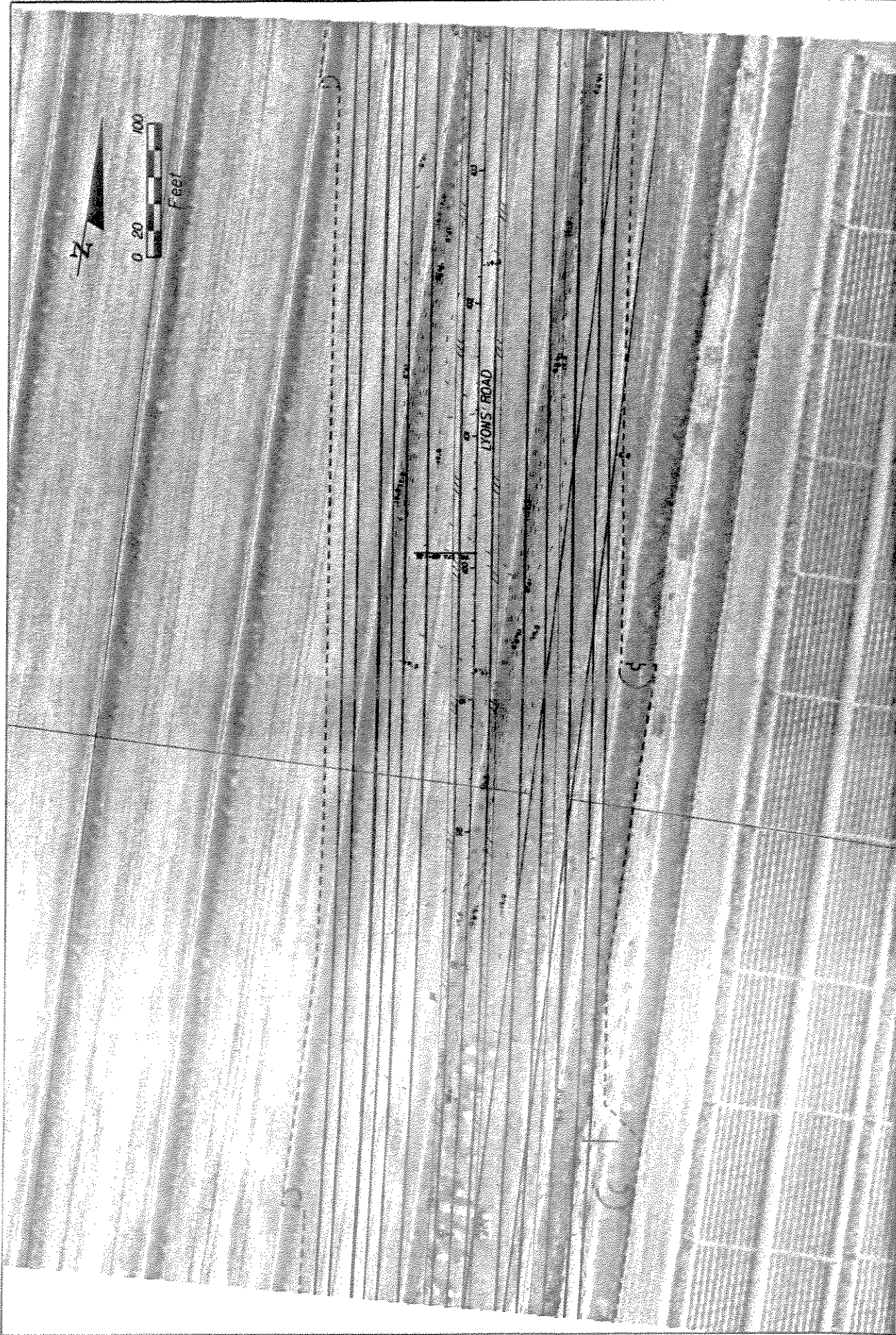


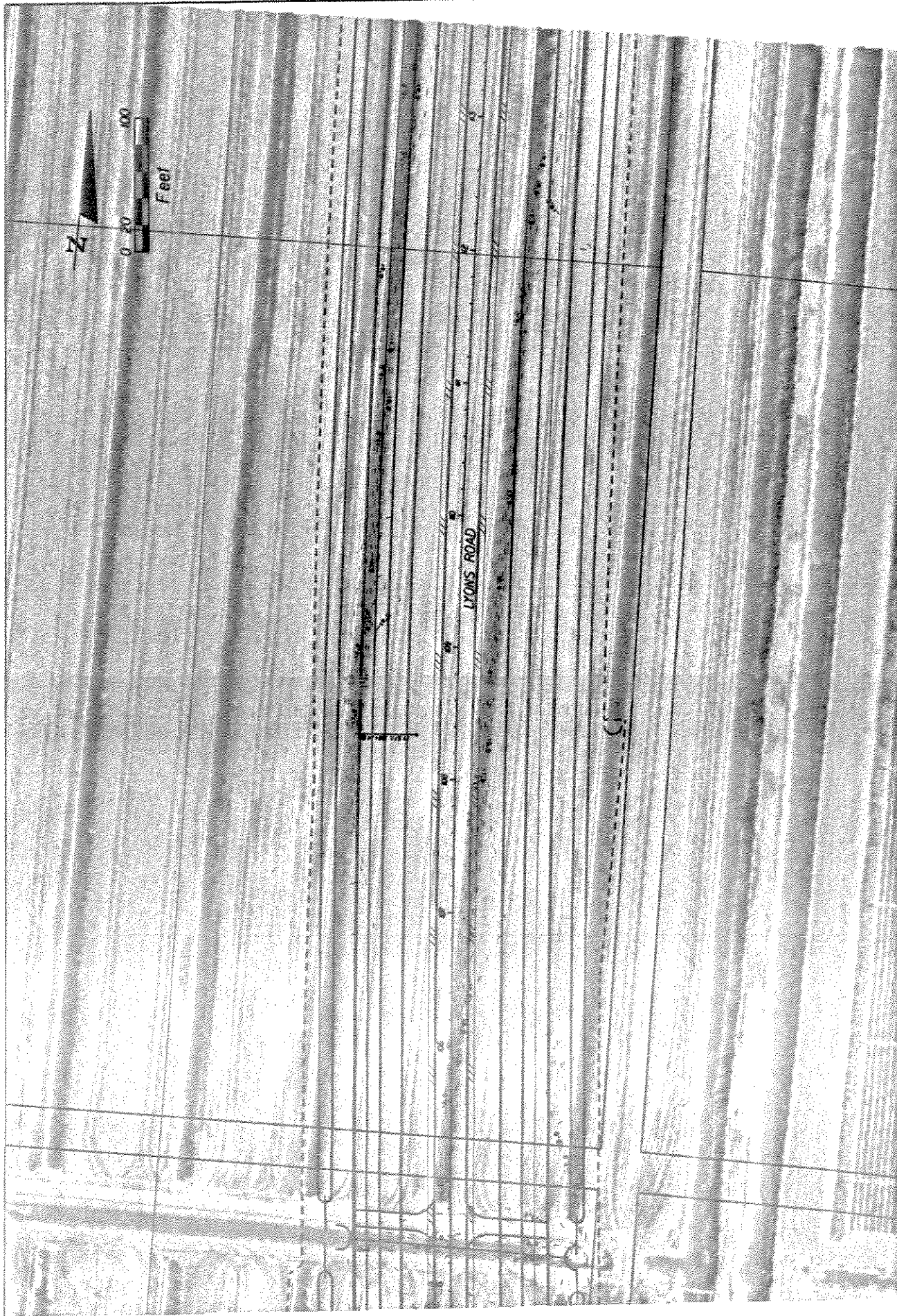
US Army Corps
of Engineers

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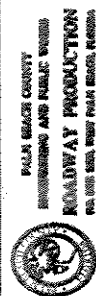






SHEET 10 OF 18

DREDGE/FILL SKETCHES



PULASKI COUNTY
ENGINEERING AND PUBLIC WORKS
ROADWAY PRODUCTION
PULASKI COUNTY ENGINEERING AND PUBLIC WORKS

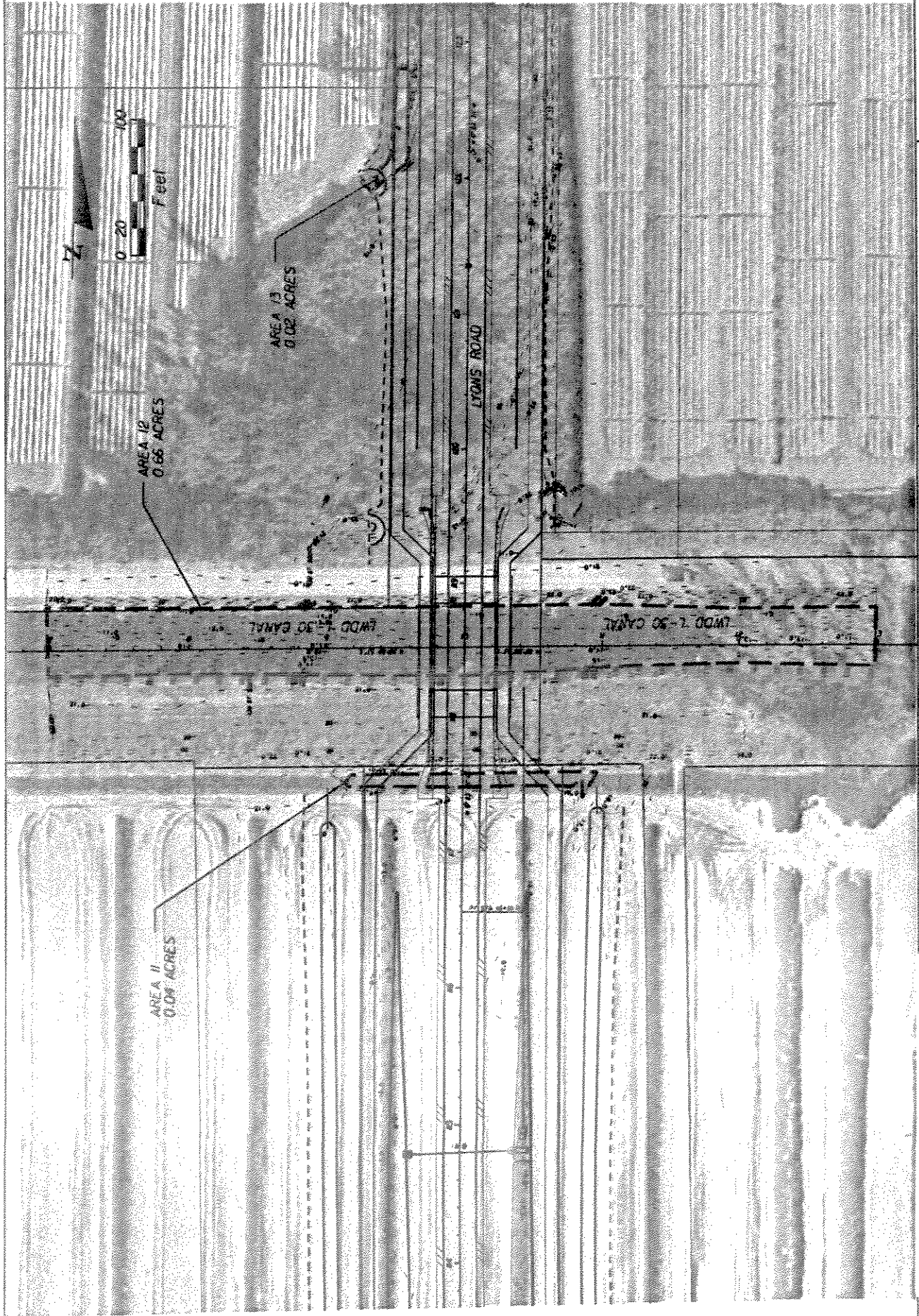


US Army Corps
of Engineers

USER: 5 File # SAJ-2008-0131(IP-JWH)

Attachment # 12 of 20

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US Army Corps
of Engineers

File # SAJ-2008-0131(IP-JWH)

Attachment # 3 of 20

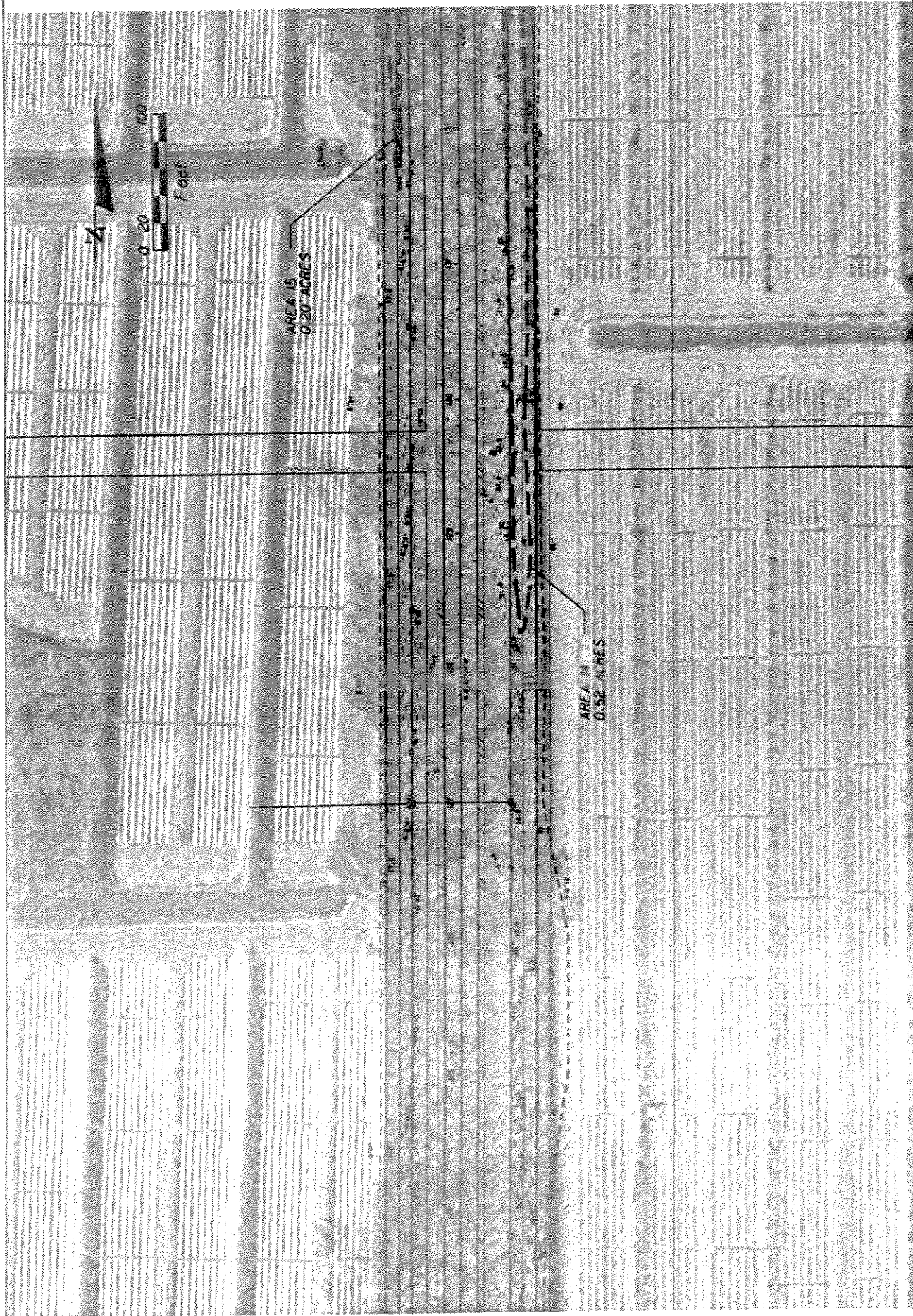


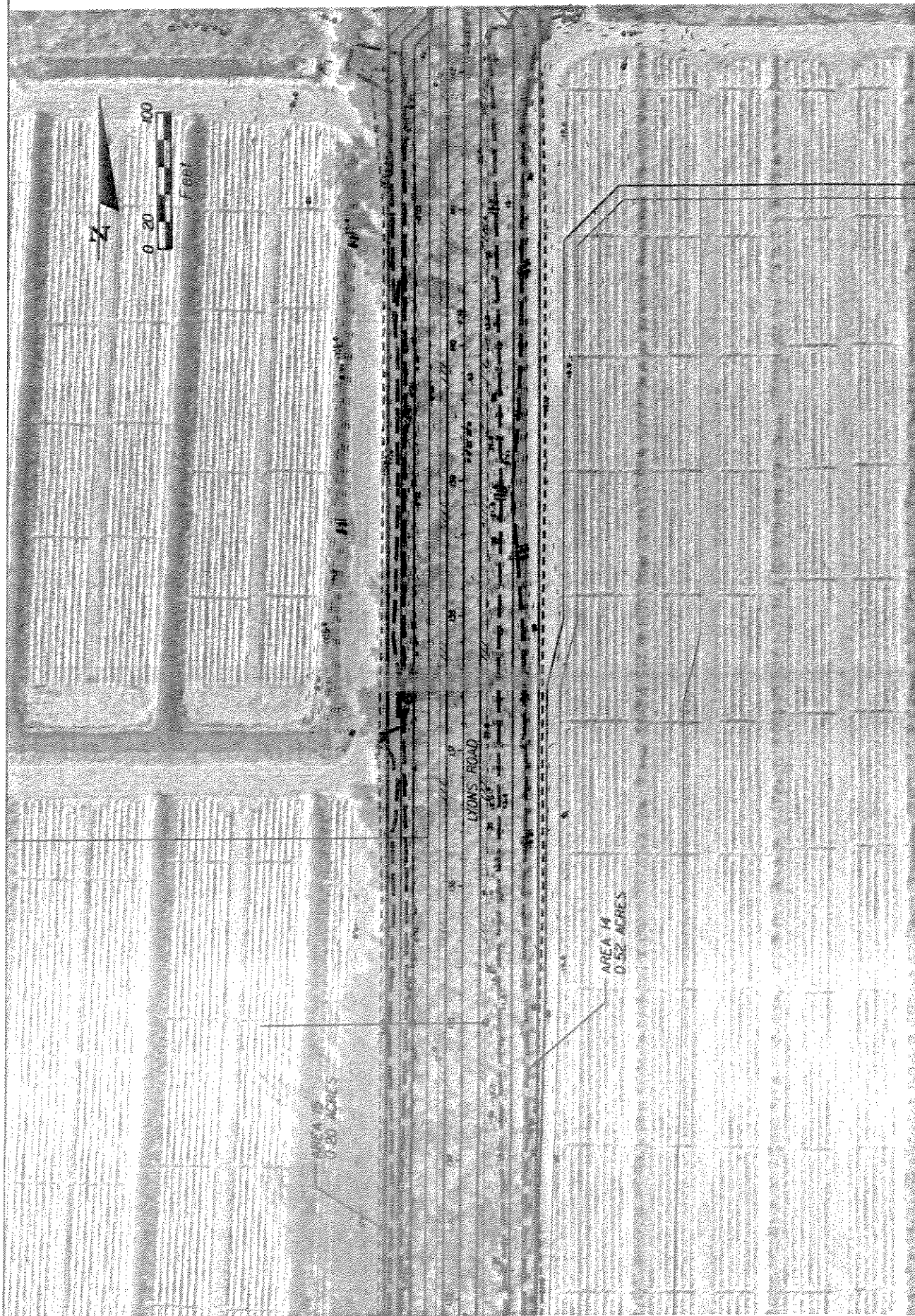
PALS BLACK COUNTY
ENVIRONMENTAL AND PUBLIC WORKS
ROADWAY PRODUCTION
FOR THE MISSISSIPPI RIVER BASIN

DREDGE/FILL SKETCHES

SHEET 11 OF 18

project: 0059906-0005563 permits Vireo's rli.dgn





STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
ROADWAY PRODUCTION
NO. 001 1001 1001 1001 1001

DREDGE/FILL SKETCHES

SHEET 13 OF 18

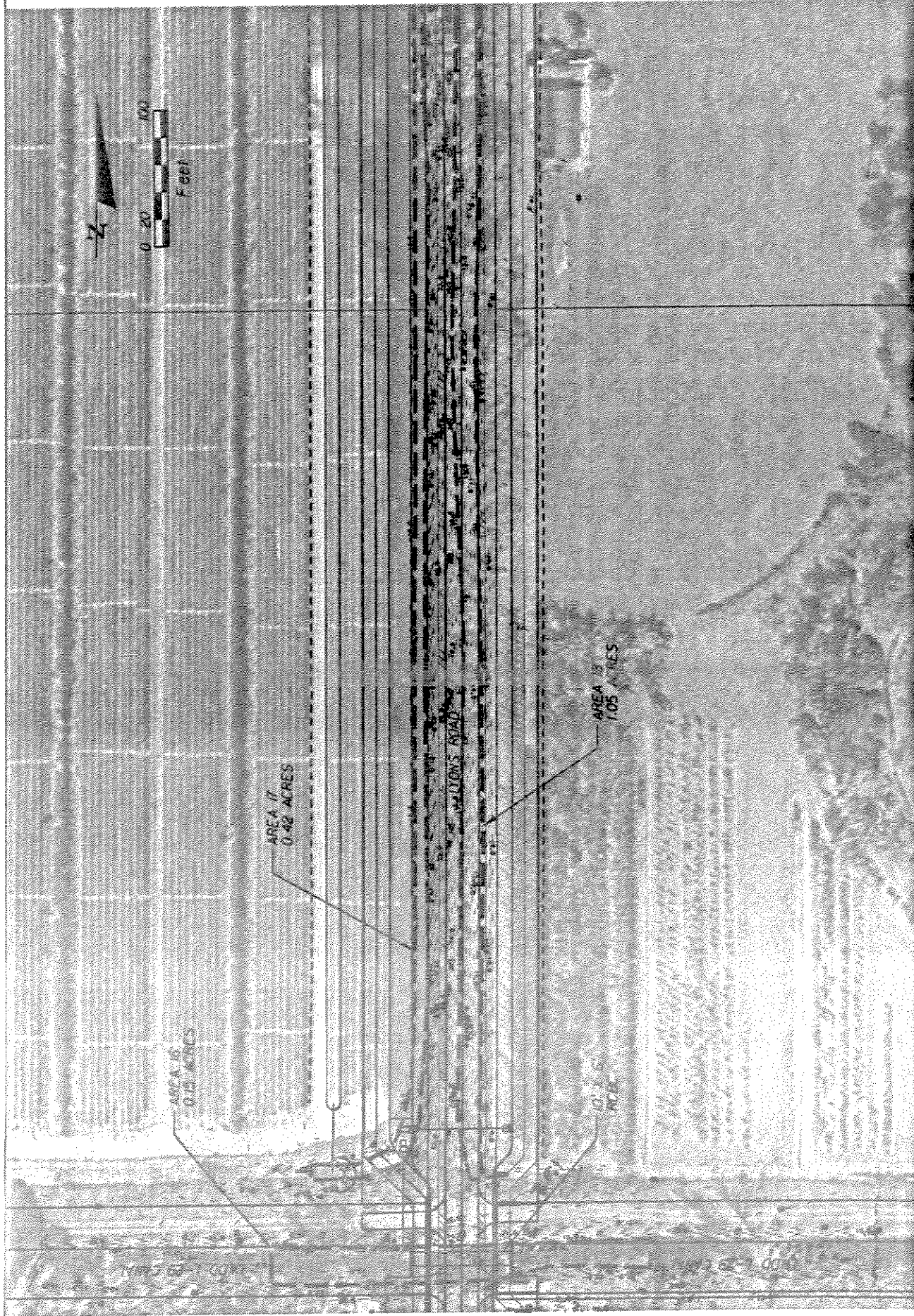


US Army Corps
of Engineers

File # SAJ-2008-0131 (IP-JW11)

Attachment # 15 of 20

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PALE BEACH CREEK
ENGINEERING AND PUBLIC WORKS
ROADWAY PRODUCTION
PALE BEACH CREEK, FLORIDA

SHEET 14 OF 18

DREDGE/FILL SKETCHES

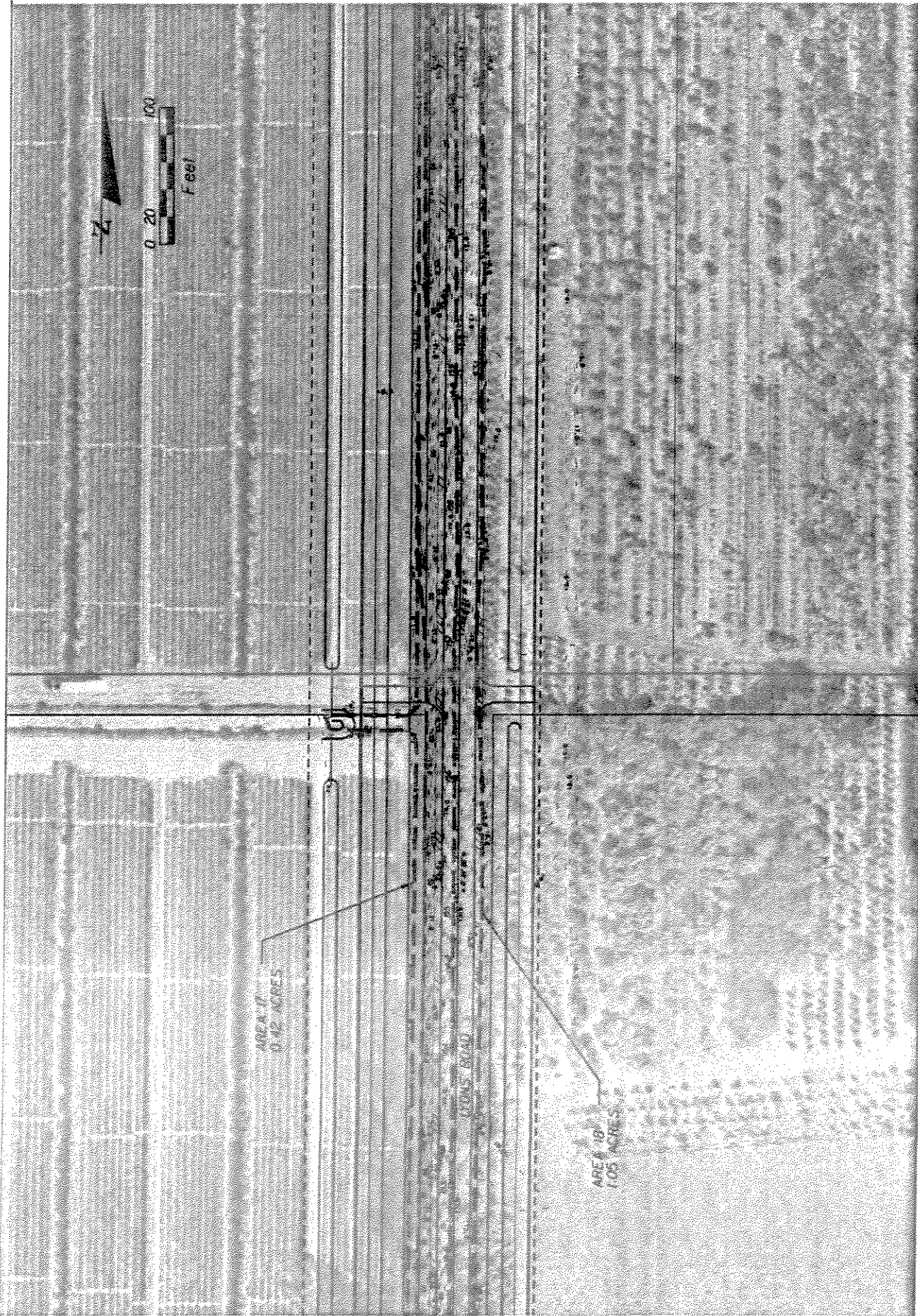


US Army Corps
of Engineers

File # SAJ-2008-0131(IP-JWH)

Attachment # 1, Page 14 of 20

Permit 5059596, 2005503, Vermits, Vmact, 1/14/14



PALM BEACH COUNTY
 ENGINEERING AND PUBLIC WORKS
 ROADWAY PRODUCTION
 FOR THE WEST PALM BEACH FLORIDA

SHEET 15 OF 18

DREDGE/FILL SKETCHES

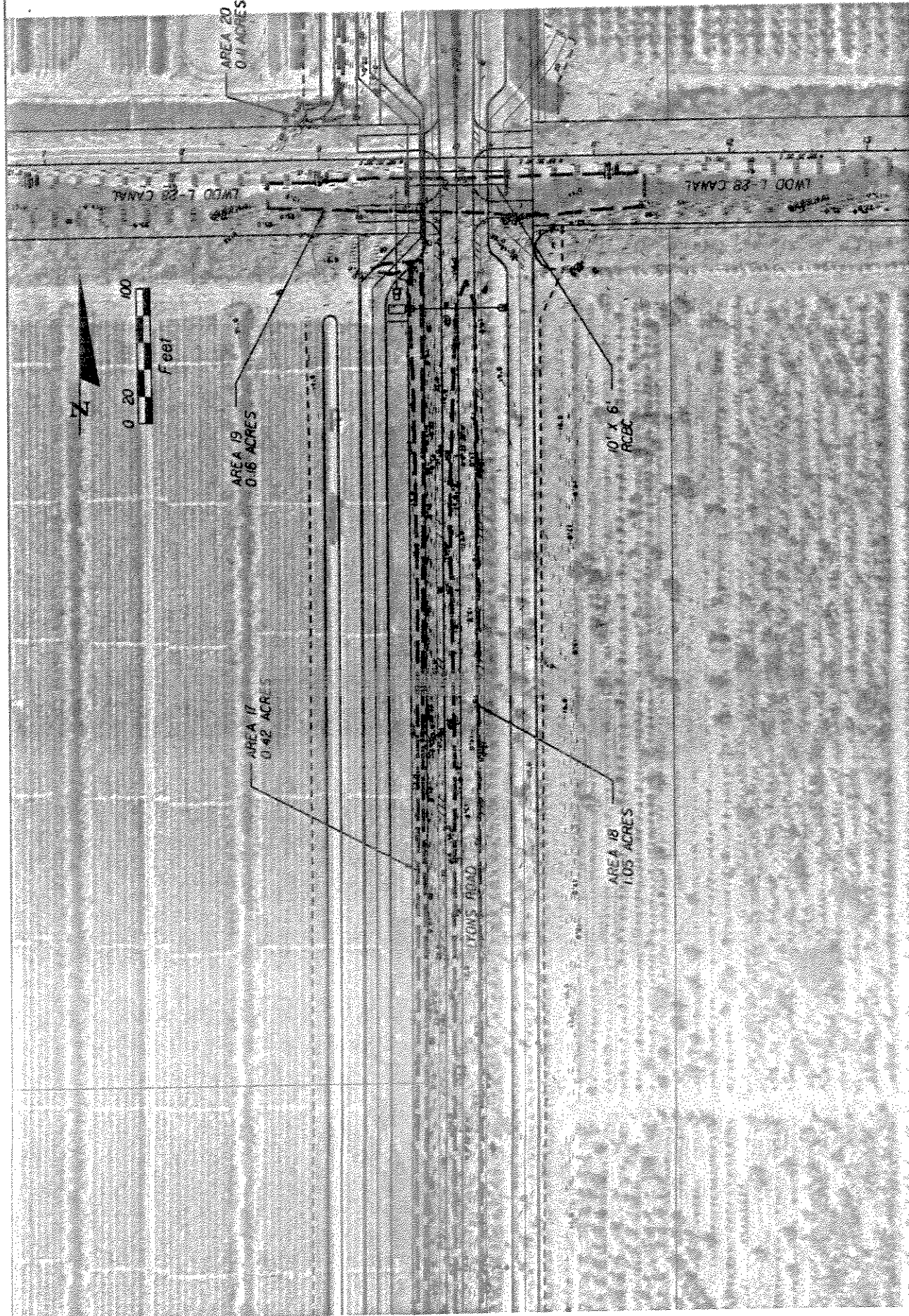


US Army Corps
 of Engineers

File # SAJ-2008-0131 (IP JWH)

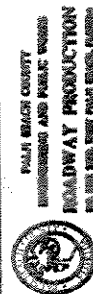
Attachment # _____, Page 17 of 20

1: 5553536-2005503 permits Impact 17 of 5



SHEET 16 OF 18

DREDGE/FILL SKETCHES

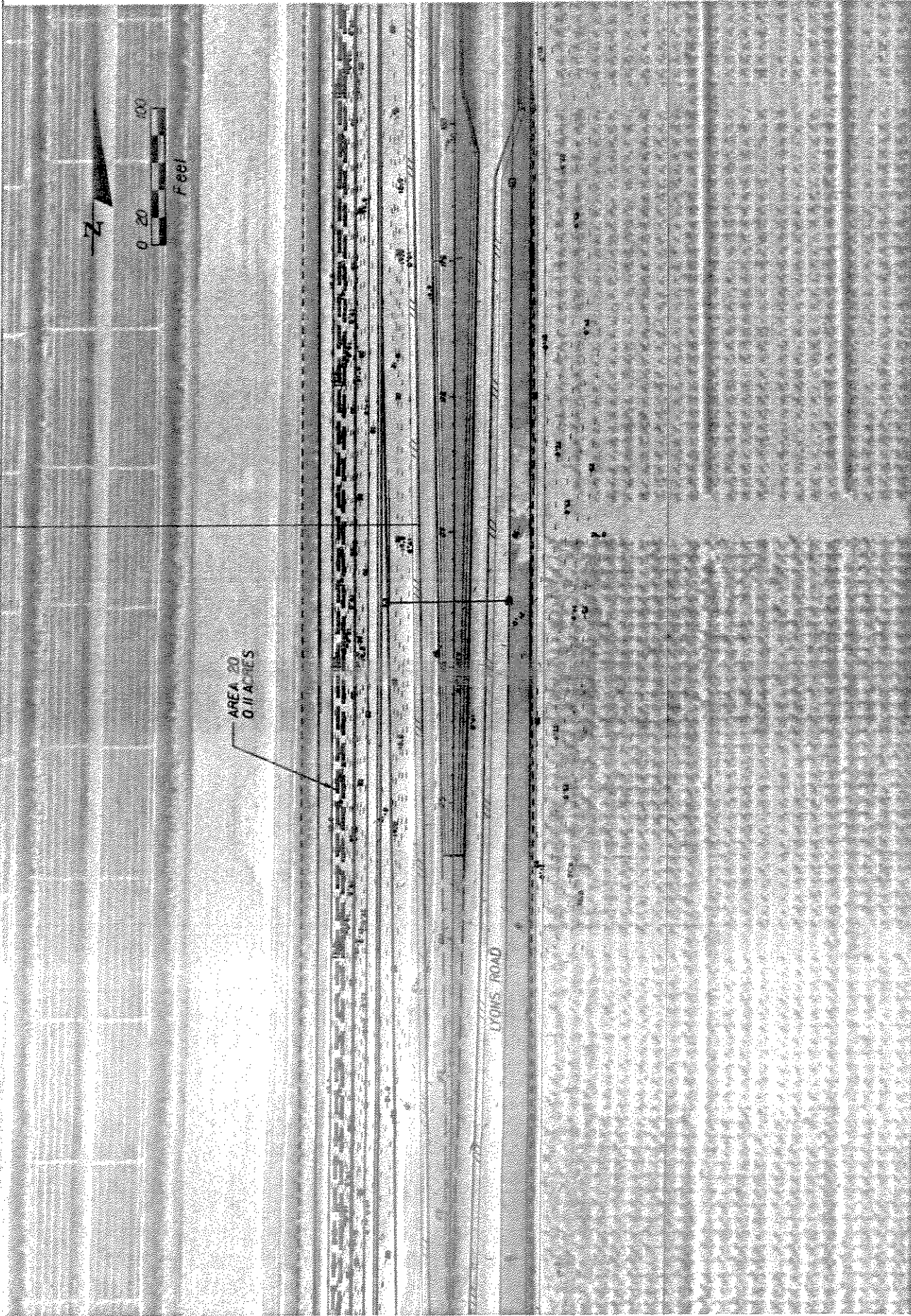


US Army Corps of Engineers

USER: File # SAJ-2008-0131(P-JWH)

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Project: 0005503 permits Vnp001sr.dwg



SHEET 17 OF 18

DREDGE/FILL SKETCHES

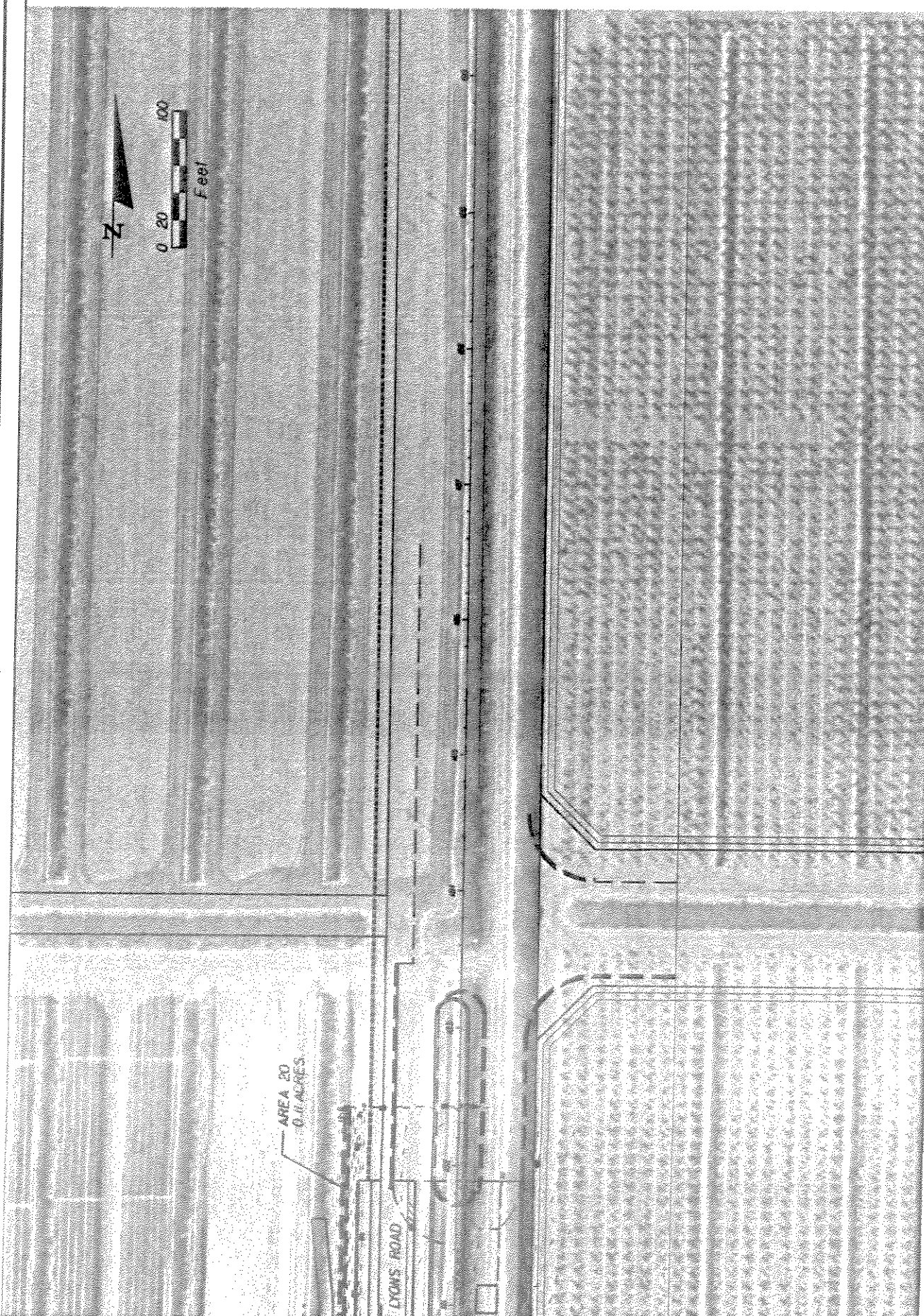
PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS
ROADWAY PRODUCTION
FOR THE BEACH RIDGE PALM BEACH, FLORIDA



Project: 00055506-00055503 permits 001.dgn



US Army Corps
of Engineers



US Army Corps
of Engineers

File # SAJ-2008-0131(PJW11)

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FLORIDA COUNTY
ENGINEERING AND PUBLIC WORKS
ROADWAY PRODUCTION
FOR THE STATE OF FLORIDA

DREDGE/FILL SKETCHES

SHEET 18 OF 18

Project: 0000006 0000003 permits impacts: 06 app

SPECIAL CONDITIONS

1. The construction phase of this permit shall expire on July 1, 2013.
2. Operation of the surface water management system shall be the responsibility of PERMITTEE.
3. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.
4. Measures shall be taken during construction to insure that sedimentation and/or turbidity violations do not occur in the receiving water.
5. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.
6. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.
7. A stable, permanent and accessible elevation reference shall be established on or within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.
8. The permittee shall provide routine maintenance of all of the components of the surface water management system in order to remove all trapped sediments/debris. All materials shall be properly disposed of as required by law. Failure to properly maintain the system may result in adverse flooding conditions.
9. This permit is issued based on the applicant's submitted information which reasonably demonstrates that adverse water resource related impacts will not be caused by the completed permit activity. Should any adverse impacts caused by the completed surface water management system occur, the District will require the permittee to provide appropriate mitigation to the District or other impacted party. The District will require the permittee to modify the surface water management system, if necessary, to eliminate the cause of the adverse impacts.
10. The permittee acknowledges, that pursuant to Rule 40E-4.101(2), F.A.C., a notice of Environmental Resource or Surface Water Management Permit may be recorded in the county public records. Pursuant to the specific language of the rule, this notice shall not be considered an encumbrance upon the property.
11. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.
12. Reference is made to Exhibit No. 2 by the County of Palm Beach, Project No. 2005503, Lyons Road From North of West Atlantic Boulevard to South of Boynton Beach Boulevard. The plan set consisting of drainage plans and detail sheets. The drawings have been signed and sealed by Christopher N. O'Reilly, P.E., of American Consulting Engineers of Florida, LLC on 5-8-08 and have been included in this permit by reference (please see permit file).



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Attachment # A, Page ____ of ____

AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32232-0019. If you have questions regarding this requirement, please contact the Enforcement Branch at 904-232-2907.

1. Department of the Army Permit Number: _____

2. Permittee Information:

Name _____

Address _____

3. Project Site Identification:

Physical location/address _____

4. As-Built Certification:

I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

Signature of Engineer

Name (Please type)

(FL, PR or VI) Reg. Number

Company Name

Address

City

State

ZIP

(Affix Seal)

Date

Telephone Number



US Army Corps
of Engineers.

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Attachment # 6, Page 1 of 2

Deviations from the approved permit drawings and special conditions:
(attach additional pages if necessary)

[illegible]

US Army Corps
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Attachment # B, Page 2 of 2

STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE

1. An eastern indigo snake protection/education plan shall be developed by the applicant or requestor for all construction personnel to follow. The plan shall be provided to the Service for review and approval at least 30 days prior to any clearing activities. The educational materials for the plan may consist of a combination of posters, videos, pamphlets, and lectures (*e.g.*, an observer trained to identify eastern indigo snakes could use the protection/education plan to instruct construction personnel before any clearing activities occur). Informational signs should be posted throughout the construction site and along any proposed access road to contain the following information:
 - a. a description of the eastern indigo snake, its habits, and protection under Federal Law;
 - b. instructions not to injure, harm, harass or kill this species;
 - c. directions to cease clearing activities and allow the eastern indigo snake sufficient time to move away from the site on its own before resuming clearing; and,
 - d. telephone numbers of pertinent agencies to be contacted if a dead eastern indigo snake is encountered. The dead specimen should be thoroughly soaked in water and then frozen.
2. If not currently authorized through an Incidental Take Statement in association with a Biological Opinion, only individuals who have been either authorized by a section 10(a)(1)(A) permit issued by the Service, or by the State of Florida through the Florida Fish Wildlife Conservation Commission (FWC) for such activities, are permitted to come in contact with an eastern indigo snake.
3. An eastern indigo snake monitoring report must be submitted to the appropriate Florida Field Office within 60 days of the conclusion of clearing phases. The report should be submitted whether or not eastern indigo snakes are observed. The report should contain the following information:
 - a. any sightings of eastern indigo snakes and
 - b. other obligations required by the Florida Fish and Wildlife Conservation Commission, as stipulated in the permit.

Revised February 12, 2004



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Attachment # C, Page 1 of 2

Excavation Guidelines

In areas where the water table is high, gopher tortoise burrows may be commonly 8 to 10 feet long and have an angle of decline of 4:1 to a depth of less than 3 feet. Where the water table is not a restriction, length has reached 67 feet with a depth of 21 feet.

A team of at least 3 experienced persons is desired for the excavation of each burrow: one to dig with shovel or machinery; one to scope and track the burrow tunnel utilizing pvc pipe or other tracer; and one to coordinate, hand-scoop and handle any occupants of the burrow (holder of FWC and/or Service permit).

Excavation may be done manually by shovel, if, for instance, burrows are shallow (high ground water table). Otherwise, excavation by backhoe is a common option. Any digging machinery must be equipped with a tooth-less bucket/digging blade for burrow excavation.

Digging should begin at the mouth of the burrow and carefully follow the tunnel path, as identified by the tracer, to the end chamber. If a backhoe is used, the bucket should remove soil by "dragging" along the path of the tunnel, rather than maximizing soil removal by "gouging". The backhoe should be positioned behind the burrow mouth and scrape along the line of the tracer. The backhoe should not dig any closer than approximately six inches to the top of the tunnel, as soil should be removed at this point by hand, progressively, as the team works together towards the end chamber. Special attention should be exercised in navigating to the end chamber, as the tunnel frequently turns 20-30 degrees at its beginning. Soil removal in the end chamber should be by hand with attention to signs of occupancy.



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